

July 26, 2004

**City of Milton-Freewater
City Council Minutes**

The Council of the City of Milton-Freewater then met in regular session on Monday, July 26, 2004 at 7:00 p.m. in the Albee Room of the Library.

The following members were present: Mayor Key, Councilors Kelley, Records, Woods, Humbert and Lyon. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Public Works Superintendent Howard Moss and Police Chief Mike Gallaher. Citizens present were Irwin Abell, Bob White, Pat Thomson and Emilio Sandoval.

Members of the press present were Melanie Hall of the Valley Herald and Kathy Korengal of the Walla Walla Union Bulletin.

CONSENT CALENDAR ITEMS: The consent calendar consisted of minutes from the July 12, 2004 council meeting. Councilor Kelley motioned to adopt the June 28, 2004 council minutes. Councilor Records seconded the motion which passed unanimously.

NEW BUSINESS

PUBLIC HEARING and RESOLUTION NO. 1967 Weed/Tree Abatement.
Mayor Key opened the hearing and summarized the rules for Public Hearing.

Public Works Superintendent Howard Moss gave the staff report saying based on observation and citizen complaints the Public Works Department has inspected properties that are in violation with the City Code, 6-2. Certified letters for the following violations were sent out on July 7, 2004, well within the required ten-day notice period prior to the public hearing. One property is for weeds that are more than 12 inches high (6-2-a) and twelve properties are for dead trees(s) which are both a fire hazard and a menace to public health, safety and welfare (6-2-e). Attached to the fact sheet sent to Council is Exhibit "A" and is a listing of properties in violation of the code at this time.

No ex parte contact was declared.

Mayor Key asked if notice of hearing had been published according to law. Assistant City Manager Linda Hall stated that this had been done. Mayor Key then asked if there had been any written comments. Ms. Hall replied none were received in her office.

Mayor Key invited citizens to come forward to address Council regarding the order to abate their properties. None approached.

Mayor Key asked if Council had any questions. There were none.

Mayor Key declared the hearing closed.

Councilor Kelley moved to adopt Resolution No. 1967 Authorizing the Abatement of Certain Properties within the City of Milton-Freewater. Councilor Records seconded the motion which passed unanimously.

RESOLUTION NO. 1968 CALLING AN ELECTION FOR THE PURPOSE OF APPROVING A FIVE-YEAR LOCAL OPTION TAX MEASURE UNDER THE AUTHORITY OF ORS 280.060 TO SUPPORT SENIOR AND DISABLED

TRANSPORTATION SERVICES. Assistant City Manager Linda Hall stated the City of Milton-Freewater has been providing senior and disabled transportation by our taxi ticket program since 1971. The program supplies folks aged 60 and over and disabled patrons of any age with door-to-door dial-a-ride service. The program, which is basically unchanged from its inception, allows patrons to purchase an unlimited number of taxi tickets for \$1.00 each. Each ticket entitles the patron to a one-way ride and assistance in and out of the taxi and with packages if necessary. The program is heavily relied upon by users in the community, and continues to grow each year with the number of rides it provides. Last year almost 7,600 rides were provided to allow seniors and disabled patrons the opportunity to be independent, social and mobile. The problem has arisen as the cost of providing the service has quadrupled in the past ten (10) years. Compounding the problem is the fact that the grants we have used to support the service in the past have shrunk and are increasingly more difficult to attain. During the years of 1985 through 1999 the service was supported with a special serial levy. These were operational serial levies voted on and paid by the tax payers. None of these levies were ever turned down which is a testament to the huge importance place upon this service in our community.

The term “serial levy” apparently is no longer used. The new term is “local option tax”. Ms. Hall proposed a five-year local option tax which would raise approximately \$51,000 per year. The tax itself would be for \$60,000 a year, but experience tells us not all of this is collectible, so estimates are for 85% of the levied amount to be realized. The cost of the taxi service is currently \$51,600 annually and we estimate the cost of the bus program to take folks to Walla Walla for medical purposes to be an additional \$56,000. We would still seek grants to make up the balance of the monies needed and use the tax monies to meet the required match.

Proceeds from the tax could also be used to help fund a limited transportation service to Walla Walla for medical uses now that we have no medical doctor in the City of Milton-Freewater. The City was given a 12-passenger wheel chair lift equipped minibus early this spring which could be used to supply the transportation to doctors and medical facilities in Walla Walla.

To put the effects of the tax in prospective, the local option tax would increase the overall tax rate by 37 cents per year. It would cost the owner of a home assessed at \$75,000, \$27.75 per year. The tax would not throw us into compression, nor would it adversely affect any other governmental taxing entity. The proposed language has been reviewed by the City Attorney as well as the Umatilla County Elections Manager. If approved by

Council, it would appear on the November 2nd general election ballot this fall. This exempts the measure from the double majority requirement. We all resist new taxes, and as staff members we are very cautious and work very hard to keep our taxes low in Milton-Freewater. However, Ms. Hall stated she truly believed that this is a worthwhile cause and the City needed to keep this crucial service alive.

Councilor Kelley motioned to adopt Resolution No. 1968 Calling an Election for the purpose of approving a five-year Local Option Tax Measure under the authority of ORS 280.060 to support Senior and Disabled Transportation Services. Councilor Records seconded the motion which passed unanimously.

APPROVAL LIQUOR LICENSE APPLICATION JR'S NIGHT CLUB. Assistant City Manager Linda Hall stated that Roman Aguiar has leased the "Jr.'s Nightclub" tavern at 501 North Main from Emilio Sandoval. The new lessee is now applying for a liquor license in his name. The applicant has requested the same level of service as the previous owner—limited on premise sales, which limits the service to beer and wine only and no package sales leaving the bar. This will not add any additional liquor establishments in the North Main business district. The police department has completed an thorough background and comprehensive usual investigation and did not find any reason to recommend this applicant be denied the license.

Councilor Kelley moved to approve the liquor license application for Jr's Nightclub. Councilor Humbert seconded the motion which passed unanimously.

DECISION REGARDING THE FILL OF COUNCIL VACANCY. Assistant City Manager Linda Hall said that as everyone knows, the City has lost a comrade and leader—City Councilor Herb Saager. His term expires in January of 2007. The Council is now faced with how to proceed with filling the vacancy. The City Charter is silent as to how the Council fills vacancies. It carefully defines what creates a vacancy, but leaves the process up to the Council seated at the time. As a courtesy, City Manager Delphine Palmer Assistant City Manager Linda Hall are presenting Council with their options for action at this time. The first option is the leave the seat vacant. While we certainly understand the temptation to select this option out of respect for Councilor Saager, we do not believe this give the City the best representation in following the true intent of the Charter. It may be acceptable if the remaining length of Councilor Saager's term had been short, but there is 2.5 years left on the term. The second option is the fill the vacancy from direct appointment without advertising or a formal selection process. This has been done in the past when Council had a specific candidate in mind, or when the choice for replacement was obvious. Because Councilor Saager's unexpected death caught us all by surprise, I do not believe Council has a specific candidate in mind. Option 3 is the fill the vacancy by advertising and soliciting applications and conduction a formal selection process. This is the most comprehensive method to filling the vacancy, but keeps the process totally open and excluded no one. Staff would advertise the vacancy, solicit the applications and bring the applications before Council to evaluate. Council could then either interview the candidates, or make the selection based upon the applications.

Councilor Humbert asked what would happen if the City did not receive any applications. Assistant City Manager Linda Hall replied that in the event the City actually did not receive any applications, the position on the council would be left vacant.

Councilor Records motioned to accept Option 3 for Filling Council Vacancy by advertising and soliciting applications and conducting a formal selection process. Councilor Kelley seconded the motion which passed unanimously.

Mayor Key announced this was the opportunity for citizens to approach the council with issues not on this agenda. None approached.

MANAGER'S REPORT

City Manager Delphine Palmer announced that Fire Chief Sam Hubbard had tendered his resignation from his Fire Chief position effective in September. Chief Hubbard has decided he needs to put all his time into his store, but he will be Assistant Chief (a voluntary position) after September 3, 2004. Ms. Palmer said she and Assistant City Manager Linda Hall would be recruiting for this position.

There is a great deal of controversy about throwing candy during parades. The city of Coquille has "candy throwing training" therefore, they still allow candy to be thrown by trained individuals. Ms. Palmer said she was having Grant Writer Mike Watkins obtain the training material and policies from Coquille.

There is a new frog on the south Water Tower that lights up the tower at night, but can be seen by day as well.

Ms. Palmer said the City will have new "Welcome to Milton-Freewater" signs by August 13th. City employees then have to build bases, wire for electricity, and then place the signs.

There is a new bronze statue of a boy skateboarding in the lobby at City Hall that will soon go to the Skatepark. The City will need to build a base for this first.

Sherry Rowan, who is working on a business for the Carnegie Library, is getting a non-profit designation to provide a training center for people with disabilities. Ms. Rowan anticipates her business will be operating by the beginning of 2005.

City Grant Writer Mike Watkins wrote a grant and was awarded \$3,000 for a skate exhibition no drugs/alcohol program and \$6,000 toward Phase II of the Skatepark.

The City just received information on a new possibility for our walking trail, which is at the top of the list on our citizen survey. The information is a \$25,000 grant with 50% funding we would like to pursue, but it is contingent upon the County providing half of the funding, possibly at \$6,250. Ms. Palmer asked for a vote from Council to pursue this

grant contingent upon a 25% match from the County and then the City would also be 25%. Councilor unanimously voted to pursue the grant.

There being no further Council business, the meeting was adjourned at 7:42 p.m.

Lewis S. Key, Mayor